

REMARKS

Reconsideration and allowance of subject application are respectfully requested. Claims 1-30 are pending in the application. By this Amendment, Applicant has amended claims 1, 5, 9, 11, 15, 19, 21, 25 and 29. Applicant hereby respectfully traverses all the rejections.

Claim Rejections - 35 U.S.C. § 112

Claims 1, 5, 11, 15, 21 and 25 are rejected under 35 U.S.C. § 112, second paragraph as being indefinite. The Examiner specifically alleges that the recited term "ostensibly" is not defined (See Office Action: page 2). Applicant hereby deletes the pertinent term in claims 1, 5, 11, 15, 21 and 25, and respectfully requests withdrawal of the rejections.

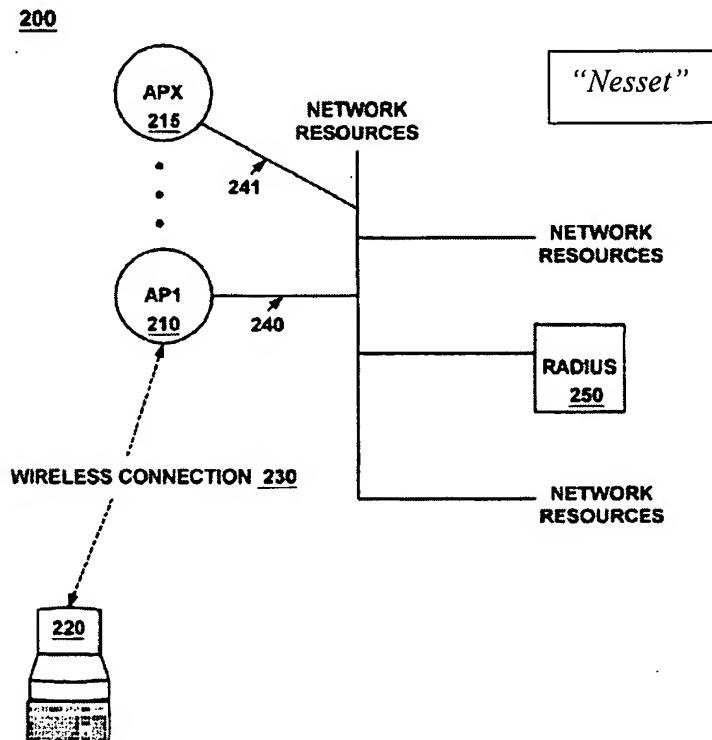
Claims 9, 19 and 29 are also rejected as reciting the allegedly indefinite term "substantially identical." Applicant hereby deletes the term "substantially" in claims 9, 19 and 29, and respectfully requests withdrawal of the rejections.

Claim Rejections - 35 U.S.C. § 102

Claims 1-30 are rejected under 35 U.S.C. § 102 (e) as being anticipated by Nessett et al. (U.S. Patent No. 6,766,453).

Claim 1 recites, *inter alia*, "using a communication channel other than the first communication channel, comparing the first information and the second information in a manner sufficient to assure a third party that the first secret and the second secret are the same." The

Examiner asserts that col. 3, lines 1-17 of Nessett describes the noted features of claim 1 (See Office Action: page 3). Applicant respectfully disagrees.



Nessett generally describes a method for performing an authenticated Diffie-Hellman key agreement protocol over a network where the communicating parties share a secret key with a third party (See Nessett: col. 2, lines 40-44). As shown above in Fig. 2 of Nessett, authentication between the network access point AP1 210 and the wireless client electronic system WC 220 takes place over connection 230, 240. However, Nessett fails to disclose or suggest "*using a communication channel other than the first communication channel, comparing the first information and the second information in a manner sufficient to assure a third party that the first secret and the second secret are the same,*" as recited in claim 1. That is, in Nessett, *both* of the

Diffie-Hellman variables created in AP1 210 and WC 220 are transferred to the RADIUS server 250 via the network connection 240 (See Nessett: col. 9, lines 1-10).

In view of the foregoing, Applicant respectfully submits that claim 1 is patentable over Nesset. Further, claims 2-4 are patentable by virtue of their dependency from claim 1.

Independent claims 5, 11, 15, 21 and 25 similarly recite comparing or verifying "on a communication channel other than the first communication channel," and therefore, Applicant respectfully submits that claims 5, 11, 15, 21 and 25 are patentable based on the rationale analogous to those discussed with respect to claim 1. Further, all the remaining dependent claims 6-10, 12-14, 16-20, 22-24 and 26-30 are patentable by virtue of their dependency from one of the independent claims 5, 11, 15, 21 and 25.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4293. Please also credit any overpayments to said Deposit Account.

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Respectfully submitted,



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